

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your name here</div> <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your address here</div>	TELEPHONE AND FAX NOS.: <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your phone number here</div>	FOR COURT USE ONLY
ATTORNEY FOR (Name): <b>In Pro Per</b> <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
GUARDIANSHIP OF (Name): <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write child's full name here</div> <div style="text-align: right;">MINOR</div>		
PETITION FOR APPOINTMENT OF GUARDIAN OF <input type="checkbox"/> MINOR <input type="checkbox"/> MINORS <input type="checkbox"/> Person <input type="checkbox"/> Estate		CASE NUMBER: <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your case number here</div>

1. **Petitioner (name):**

Write your name here

**Check one** **requests that**
- a. (Name and address): 

Write name, address and phone number of proposed Guardian here.

  
 be appointed guardian of the PERSON of the minor and Letters issue upon qualification.
- b. (Name and address): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 be appointed guardian of the ESTATE of the minor and Letters issue upon qualification.
- c. ☐ the proposed guardian be appointed for several minors who are brothers and sisters. The information requested in item 2
- d. (1) ☐ **To be the Guardian of more than one child, check this box.** or an exempt government agency  
☐ for the reasons stated in Attachment 1d.
- (2) ☐ \$ \_\_\_\_\_ bond be fixed. It will be furnished by an authorized surety company or as otherwise provided by law.  
 (Specify reasons in Attachment 1d if the amount is different from minimum required by Prob. Code, § 8482.)
- (3) ☐ \$ \_\_\_\_\_ indeposits in a blocked account be allowed. Receipts will be filed. (Specify institution and location):
- e. ☐ authorizes guardian to exercise independently the powers specified in Attachment 14.
- f. ☐ orders guardian of the person under Probate Code sections 2351-2358  
 Check here if there are close relatives whom you cannot contact about this petition.
- g. ☐ an order dispensing with notice to the persons named in Attachment 15 be granted.
- h. ☐ other orders be granted (specify in Attachment 1h).
2. The minor is (name): \_\_\_\_\_ (Present address and telephone): 

Fill out questions #2-7

☐ married ☐ unmarried
3. Date of minor's birth: \_\_\_\_\_
4. Petitioner is
- a. ☐ related to the minor as (specify): \_\_\_\_\_
- b. ☐ a minor 12 years of age or older.
- c. ☐ other person on behalf of minor (specify): \_\_\_\_\_
5. The proposed guardian is
- a. ☐ nominee (affix nomination as Attachment 5),
- b. ☐ related to minor as (specify): \_\_\_\_\_
- c. ☐ other (specify): \_\_\_\_\_
6. a. ☐ The person having legal custody of the minor is (name and address): 

Write name and address of person who has custody of the child.
- b. ☐ (Complete only if this person is one other than the person having legal custody.) The person having the care of the minor is (name and address): 

Write your name and address here.
7. The minor
- a. ☐ is ☐ is not a patient in or on leave of absence from a state institution under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services (specify state institution): \_\_\_\_\_
- b. ☐ is neither receiving nor entitled to receive ☐ is receiving or entitled to receive \_\_\_\_\_ benefits from the Veterans Administration (estimate amount of monthly benefit payable): \$ \_\_\_\_\_
- c. ☐ does ☐ does not have Native American ancestry. (Provide information required by Indian Child Welfare Act as Attachment 7c.)

Do NOT use this form for a temporary guardianship.

(Continued on reverse)

# Answer questions 8 & 9

GUARDIANSHIP OF (Name):

Write child's full name here

CASE NUMBER:

Write your case number here

MINOR

8. Petitioner ☐ has ☐ has no knowledge that the minor is receiving public assistance benefits (specify in Attachment 8).

9. Petitioner ☐ has ☐ has no knowledge of the minor's adoption, juvenile court, marriage dissolution, domestic relations, custody, or guardianship (specify in Attachment 9).

Check here if you are going to adopt the child.

10. ☐ Petitioner, with intent to adopt, has accepted or intends to accept physical care or custody of the minor.

11. ☐ A person other than the proposed guardian has been nominated by ☐ will ☐ other nomination (nomination affixed as Attachment 11) (specify name and address of person nominated):

12. Character and estimated value of property of the estate:

Personal property: \$

Annual gross income from all sources:

Check here if the parent asked in writing for someone else to be Guardian. If so, give their name and address.

Attach a page saying why you should be guardian. Write "Attachment 13" at the top.

13. Appointment of a guardian of the ☐ person ☐ estate of the minor is necessary and convenient for the reasons stated in Attachment 13. ☐ Parental custody of the minor would be detrimental for the reasons stated in Attachment 13.

14. ☐ Granting the proposed guardian of the estate powers to be exercised independently under Probate Code section 2590 would be in the best interest of the guardianship estate. Powers and reasons are specified in Attachment 14.

Fill out only if you checked 1g

15. ☐ Notice to the persons named in Attachment 15 should be dispensed with under Probate Code section 1511 because:

Complete #16 if you are not related to the child.

16. (Complete this section if you are not related to the child or if you are related to the child but not the proposed guardian) ☐ For 16a, check here ☐ For 16b, check one ☐ For 16c, check here

Check here too if you will try to adopt. Attach a page to explain. Write "Attachment 16c" at the top.

a. ☐ Petitioner is the proposed guardian and will promptly furnish all information requested by the court under Probate Code section 1543.

☐ Petitioner is not the proposed guardian and will promptly furnish all information requested by the proposed guardian that he or she is required to furnish by any agency referred to in Probate Code section 1543 is affixed to this petition.

b. The proposed guardian is ☐ is ☐ is not a licensed foster family home.

c. ☐ The proposed guardian has never filed any petition for adoption of the minor ☐ except as specified in Attachment 16c.

17. ☐ Filed with this petition are the following (see Judicial Council forms GC-211, GC-110, and MC-150):

☐ Consent of Proposed Guardian

☐ Waiver of Notice and Consent

☐ Nomination of Guardian

☐ Petition for Appointment of Temporary Guardian

☐ Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)

18. The names, residence addresses, and relationships of the father, mother, spouse, brothers, sisters, grandparents, and children of the minor, so far as known to petitioner, are as follows:

Relationship and name

Residence address

a. Father:

b. Mother:

c. Grandparents:

d.

e. ☐ List of names and addresses continued in Attachment 18.

Fill this section out. If you need more room, check this box and attach a new page. Write "Attachment 18" at the top.

19. Number of pages attached: \_\_\_\_\_

Write how many pages you attached here.

Date: \_\_\_\_\_

• (Signature of all petitioners also required (Prob. Code, § 1020).)

(SIGNATURE OF ATTORNEY ')

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

Write the date here.

Print your name here.

Sign here

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)



**CONFIDENTIAL (DO NOT ATTACH TO PETITION)**

GC-212

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="border: 2px solid black; padding: 5px; margin: 5px 0;">Write your <b>name</b> here</div> <div style="border: 2px solid black; padding: 5px; margin: 5px 0;">Write your <b>address</b> here</div> TELEPHONE NO. <div style="border: 2px solid black; padding: 5px; margin: 5px 0;">Write your <b>phone number</b> here</div> E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): <b>In Pro Per</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME: _____	
GUARDIANSHIP OF (Name): <div style="border: 2px solid black; padding: 5px; display: inline-block;">Write child's full name here</div>	MINOR
<b>CONFIDENTIAL GUARDIAN SCREENING FORM</b> Guardianship of <input type="checkbox"/> Person <input type="checkbox"/> Estate	
CASE NUMBER: <div style="border: 2px solid black; padding: 5px; display: inline-block;">Write your case number here</div>	

**Each proposed guardian shall submit this screening form with the guardianship petition.**  
***This form shall remain confidential.***

**How This Form Will Be Used**

This form is **confidential** and will not be a part of the public file in this case. You are required to complete and submit this form to the court under rule 7.1001 of the California Rules of Court. The information you provide will be used by the court and by persons and agencies designated by the court to assist the court in determining whether to appoint you as guardian. You **must** provide a response to each item.

1. a. **Proposed guardian (name):**

Fill out 1a-e

  
 b. Date of birth: \_\_\_\_\_  
 c. Social security number: \_\_\_\_\_  
 d. Driver's license number: \_\_\_\_\_ State: \_\_\_\_\_  
 e. Telephone numbers: Home: \_\_\_\_\_ Work: \_\_\_\_\_ Other: \_\_\_\_\_
  
2. ☐ I am ☐ I am not required to register 

Fill out #2-8. If you check "I am," "I have" or "Yes," attach a page saying why or what happened. Write "Attachment..." and the question number at the top.

*explain in Attachment 2.*
  
3. ☐ I have ☐ I have not been charged with, arrested for, or convicted of a crime deemed to be a felony or a misdemeanor. *(If you have, explain in Attachment 3.)* ☐ Check here if you have been arrested for drug or alcohol-related offenses.
  
4. ☐ I have ☐ I have not had a restraining order or protective order filed against me in the last 10 years. *(If you have, explain in Attachment 4.)*
  
5. ☐ I am ☐ I am not receiving services from a psychiatrist, psychologist, or therapist for a mental health-related issues. *(If you are, explain in Attachment 5.)*
  
6. Do you or does any other person living in your home have a social worker or parole or probation officer assigned to him or her?  
☐ Yes ☐ No *(if yes, explain in Attachment 6 and provide the name and address of each social worker, parole officer, or probation officer.)*
  
7. Have you or has any other person living in your home been charged with, arrested for, or convicted of any form of child abuse, neglect, or molestation?  
☐ Yes ☐ No *(If yes, explain in Attachment 7.)*
  
8. Are you aware of any reports alleging any form of child abuse, neglect, or molestation made to any agency charged with protecting children (e.g., Child Protective Services) or any other law enforcement agency regarding you or any other person living in your home?  
☐ Yes ☐ No *(If yes, explain in Attachment 8 and provide the name and address of each agency.)*

(Continued on reverse)

# CONFIDENTIAL

GUARDIANSHIP OF (Name):	Write <b>child's full name</b> here	MINOR	CASE NUMBER: Write your <b>case number</b> here
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9. Have you or has any other person living in your home habitually used any illegal substances or abused alcohol?  
☐ Yes ☐ No (If yes, explain in Attachment 9.)
10. Have you or has any other person living in your home been charged with, arrested, or convicted of any crime involving illegal substances or alcohol?  
☐ Yes ☐ No (If yes, explain in Attachment 10.)
11. Do you or does any other person living in your home suffer from mental illness?  
☐ Yes ☐ No (If yes, explain in Attachment 11.)
12. Do you suffer from any physical disability that would impair your ability to perform the duties of guardian?  
☐ Yes ☐ No (If yes, explain in Attachment 12.)
13. ☐ I have or may have ☐ I do not have an adverse interest that the court may consider to be a risk to, or to have an effect on, my ability to faithfully perform the duties of guardian. (If you have or may have, explain in Attachment 13.)
14. ☐ I have ☐ I have not previously been appointed guardian, conservator, executor, or fiduciary in another proceeding. (If you have, explain in Attachment 14.)
15. ☐ I have ☐ I have not been removed as guardian, conservator, executor, or fiduciary in any other case. (if you have, explain in Attachment 15.)
16. ☐ I have ☐ I have not filed for bankruptcy protection within the last 10 years. (If you have, explain in Attachment 16.)

Complete #9-16. If you check "Yes," "I have" or "May have," attach a piece of paper and explain why or what happened. Write "Attachment..." and the question number at the top.

Fill in child's information	MINORS' CONTACT INFORMATION
17. Minor's name: Home tel.:	School: School tel.: Other tel.:
18. Minor's name: Home tel.:	School: School tel.: Other tel.:
19. Minor's name: Home tel.:	School: School tel.: Other tel.:
<input type="checkbox"/> Information on additional minors is attached.	

## DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PROPOSED GUARDIAN-)

\*Each proposed guardian must fill out and file a separate screening form.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your name and address here</div> TELEPHONE NO.: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your phone number here</div> E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b><i>In Pro Per</i></b>	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:	
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write child's full name here</div> MINOR	
<b>DUTIES OF GUARDIAN and Acknowledgment of Receipt</b>	CASE NUMBER:

## DUTIES OF GUARDIAN

When you are appointed by the court as a guardian of a minor, you become an officer of the court and assume certain duties and obligations. An attorney is best qualified to advise you about these matters. You should clearly understand the information on this form. You will find additional information in the *Guardianship Pamphlet (for Guardianships of Children in the Probate Court)* (Form GC-205), which is available from the court.

### 1. GUARDIANSHIP OF THE PERSON

If the probate court appoints you as a *guardian of the person* for a child, you will be required to assume important duties and obligations.

- a. **Fundamental responsibilities** - The guardian of the person of a child has the care, custody, and control of the child. As guardian, you are responsible for providing for food, clothing, shelter, education, and all the medical and dental needs of the child. You must provide for the safety, protection, and physical and emotional growth of the child.
- b. **Custody** - As guardian of the person of the child, you have full legal and physical custody of the child and are responsible for **all** decisions relating to the child. The child's parents can no longer make decisions for the child while there is a guardianship. The parents' rights are suspended—not terminated—as long as a guardian is appointed for a minor.
- c. **Education** - As guardian of the person of the child, you are responsible for the child's education. You determine where the child should attend school. As the child's advocate within the school system, you should attend conferences and play an active role in the child's education. For younger children, you may want to consider enrolling the child in Head Start or other similar programs. For older children, you should consider their future educational needs such as college or a specialized school. You must assist the child in obtaining services if the child has special educational needs. You should help the child in setting and attaining his or her educational goals.
- d. **Residence** - As guardian, you have the right to determine where the child lives. The child will normally live with you, but when it is necessary, you are allowed to make other arrangements if it is in the best interest of the child. You should obtain court approval before placing the child back with his or her parents.

As guardian, you **do not** have the right to change the child's residence to a place outside of California unless you first receive the court's permission. If the court grants permission, California law requires that you establish legal guardianship in the state where the child will be living. Individual states have different rules regarding guardianships. You should seek additional information about guardianships in the state where you want the child to live.

(Continued on reverse)

GUARDIAN OF (Name):	Write <b>child's full name</b> here	MINOR	CASE NUMBER:
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- e. **Medical treatment** - As guardian, you are responsible for meeting the medical needs of the child. In most cases, you have the authority to consent to the child's medical treatment. However, if the child is 14 years or older, surgery may not be performed on the child unless either (1) both the child and the guardian consent or (2) a court order is obtained that specifically authorizes the surgery. This holds true except in emergencies. A guardian may not place a child involuntarily in a mental health treatment facility under a probate guardianship. A mental health conservatorship proceeding is required for such an involuntary commitment. However, the guardian may secure counseling and other necessary mental health services for the child. The law also allows older and more mature children to consent to their own treatment in certain situations such as outpatient mental health treatment, medical care related to pregnancy or sexually transmitted diseases, and drug and alcohol treatment.
- f. **Community resources** - There are agencies in each county that may be helpful in meeting the specific needs of children who come from conflicted, troubled, or deprived environments. If the child has special needs, you must strive to meet those needs or secure appropriate services.
- g. **Financial support** - Even when the child has a guardian, the parents are still obligated to financially support the child. The guardian may take action to obtain child support. The child may also be eligible for Temporary Aid for Needy Families, TANF (formerly known as AFDC), social security benefits, Veterans Administration benefits, Indian child welfare benefits, and other public or private funds.
- h. **Visitation** - The court may require that you allow visitation or contact between the child and his or her parents. The child's needs often require that the parent-child relationship be maintained, within reason. However, the court may place restrictions on the visits, such as the requirement of supervision. The court may also impose other conditions in the child's best interest.
- i. **Driver's license** - As guardian of the person, you have the authority to consent to the minor's application for a driver's license. If you consent, you will become liable for any civil damages that may result if the minor causes an accident. The law requires that anyone signing the DMV application obtain insurance to cover the minor.
- j. **Enlistment in the armed services** - The guardian may consent to a minor's enlistment in the armed services. If the minor enters into active duty with the armed forces, the minor becomes emancipated under California law.
- k. **Marriage** - For the minor to marry, the guardian **and the court** must give permission. If the minor enters a valid marriage, the minor becomes emancipated under California law.
- l. **Change of address** - A guardian must notify the court in writing of any change in the address of either the child or the guardian. This includes any changes that result from the child's leaving the guardian's home or returning to the parent's home. You **must** always obtain **court permission** before you move the child to another state or country.
- m. **Court visitors and status reports** - Some counties have a program in which "court visitors" track and review guardianships. If your county has such a program, you will be expected to cooperate with all requests of the court visitor. As guardian, you may also be required to fill out and file status reports. In all counties, you must cooperate with the court and court investigators.
- n. **Misconduct of the child** - A guardian, like a parent, is liable for the harm and damages caused by the willful misconduct of a child. There are special rules concerning harm caused by the use of a firearm. If you are concerned about your possible liability, you should consult an attorney.
- o. **Additional responsibilities** - The court may place other conditions on the guardianship or additional duties upon you, as guardian. For example, the court may require the guardian to complete counseling or parenting classes, to obtain specific services for the child, or to follow a scheduled visitation plan between the child and the child's parents or relatives. As guardian, you must follow all court orders.

(Continued on page three)

GUARDIAN OF (Name):

Write child's full name here

MINOR

CASE NUMBER:

- p. **Termination of guardianship of the person** - A guardianship of the person automatically ends when the child reaches the age of 18, is adopted, marries, is emancipated by court order, enters into active military duty, or dies. If none of these events has occurred, the child, a parent, or the guardian may petition the court for termination of guardianship. But it must be shown that the guardianship is no longer necessary or that termination of the guardianship is in the child's best interest.

## 2. GUARDIANSHIP OF THE ESTATE

If the court appoints you as *guardian of the child's estate*, you will have additional duties and obligations. The money and other assets of the child are called the child's "estate." Appointment as guardian of a child's estate is taken very seriously by the court. The guardian of the estate is required to manage the child's funds, collect and make an inventory of the assets, keep accurate financial records, and regularly file financial accountings with the court.

### MANAGING THE ESTATE

- a. **Prudent investments** - As guardian of the estate, you must manage the child's assets with the care of a prudent person dealing with someone else's property. This means that you must be cautious and may not make speculative or risky investments.
- b. **Keeping estate assets separate** - As guardian of the estate, you must keep the money and property of the child's estate separate from everyone else's, including your own. When you open a bank account for the estate, the account name must indicate that it is a *guardianship* account and not your personal account. You should use the child's social security number when opening estate accounts. You should never deposit estate funds in your personal account or otherwise mix them with your own funds or anyone else's funds, even for brief periods. Securities in the estate must be held in a name that shows that they are estate property and not your personal property.
- c. **Interest-bearing accounts and other investments** - Except for checking accounts intended for ordinary expenses, you should place estate funds in interest-bearing accounts. You may deposit estate funds in insured accounts in federally insured financial institutions, but you should not put more than \$100,000 in any single institution. You should consult with an attorney before making other kinds of investments.
- d. **Blocked accounts** - A *blocked account* is an account with a financial institution in which money is placed. No person may withdraw funds from a blocked account without the court's permission. Depending on the amount and character of the child's property, the guardian may elect **or the court may require** that estate assets be placed in a blocked account. As guardian of the estate, you must follow the directions of the court and the procedures required to deposit funds in this type of account. The use of a blocked account is a safeguard and may save the estate the cost of a bond.
- e. **Other restrictions** - As guardian of the estate, you will have many other restrictions on your authority to deal with estate assets. Without prior court order, you **may not** pay fees to yourself or your attorney. You may not make a gift of estate assets to anyone. You may not borrow money from the estate. As guardian, you may not use estate funds to purchase real property without a prior court order. If you do not obtain the court's permission to spend estate funds, you may be compelled to reimburse the estate from your own personal funds and may be removed as guardian. You should consult with an attorney concerning the legal requirements relating to sales, leases, mortgages, and investment of estate property. If the child of whose estate you are the guardian has a living parent or if that child receives assets or is entitled to support from another source, you must obtain court approval before using guardianship assets for the child's support, maintenance, or education. You must file a petition or include a request for approval in the original petition, and set forth which exceptional circumstances justify any use of guardianship assets for the child's support. The court will ordinarily grant such a petition for only a limited period of time, usually not to exceed one year, and only for specific and limited purposes.

### INVENTORY OF ESTATE PROPERTY

- f. **Locate the estate's property** - As guardian of the estate, you must locate, take possession of, and protect the child's income and assets that will be administered in the estate. You must change the ownership of all assets into the guardianship estate's name. For real estate, you should record a copy of your *Letters of Guardianship* with the county recorder in each county where the child owns real property.

(Continued on reverse)



GUARDIAN OF (Name):	Write <b>child's full name</b> here	MINOR	CASE NUMBER:
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- g. **Determine the value of the property** - As guardian of the estate, you must arrange to have a court-appointed referee determine the value of the estate property unless the appointment is waived by the court. You—not the referee—must determine the value of certain "cash items." An attorney can advise you about how to do this.
- h. **File an inventory and appraisal** - As guardian of the estate, you must file an inventory and appraisal within 90 days after your appointment. You may be required to return to court 90 days after your appointment as guardian of the estate to ensure that you have properly filed the inventory and appraisal.

### INSURANCE

- i. **Insurance coverage** - As guardian of the estate, you should make sure that there is appropriate and sufficient insurance covering the assets and risks of the estate. You should maintain the insurance in force throughout the entire period of the guardianship or until the insured asset is sold.

### RECORD KEEPING AND ACCOUNTING

- j. **Records** - As guardian of the estate, you must keep complete, accurate records of each financial transaction affecting the estate. The checkbook for the guardianship checking account is essential for keeping records of income and expenditures. You should also keep receipts for all purchases. Record keeping is critical because you will have to prepare an accounting of all money and property that you have received, what you have spent, the date of each transaction, and its purpose. You will also have to be able to describe in detail what is left after you have paid the estate's expenses.
- k. **Accountings** - As guardian of the estate, you must file a petition requesting that the court review and approve your accounting one year after your appointment and at least every two years after that. The court may ask that you justify some or all expenditures. You should have receipts and other documents available for the court's review, if requested. If you do not file your accounting as required, the court will order you to do so. You may be removed as guardian for failure to file an accounting.
- l. **Format** - As guardian of the estate, you must comply with all state and local rules when filing your accounting. A particular format is specified in the Probate Code, which you must follow when you present your account to the court. You should check local rules for any special local requirements.
- m. **Legal advice** - An attorney can advise you and help you prepare your inventories, accountings, and petitions to the court. If you have questions, you should consult with an attorney.

### 3. OTHER GENERAL INFORMATION

- a. **Removal of a guardian** - A guardian may be removed for specific reasons or when it is in the child's best interest. A guardian may be removed either on the court's own motion or by a petition filed by the child, a relative of the child, or any other interested person. If necessary, the court may appoint a successor guardian, or the court may return the child to a parent if that is found to be in the child's best interest.
- b. **Legal documents** - For your appointment as guardian to be valid, the Order *Appointing Guardian of Minor* must be signed. Once the court signs the order, the guardian **must** go to the clerk's office, where *Letters of Guardianship* will be issued. *Letters of Guardianship* is a legal document that provides proof that you have been appointed and are serving as the guardian of a minor. You should obtain several certified copies of the *Letters* from the clerk. These legal documents will be of assistance to you in the performance of your duties, such as enrolling the child in school, obtaining medical care, and taking care of estate business.
- c. **Attorneys and legal resources** - If you have an attorney, the attorney will advise you on your duties and responsibilities, the limits of your authority, the rights of the child, and your dealings with the court. **If you have legal questions, you should consult with your attorney.** Please remember that the court staff cannot give you legal advice.

(Continued on page five)

GUARDIAN OF (Name):

Write **child's full name** here

MINOR

CASE NUMBER:

If you are not represented by an attorney, you may obtain answers to your questions by contacting community resources, private publications, or your local law library.

**NOTICE: This statement of duties is a summary and is not a complete statement of the law. Your conduct as a probate guardian is governed by the law itself and not by this summary.**

### ACKNOWLEDGMENT OF RECEIPT

1. I have petitioned the court to be appointed as a guardian.
2. I acknowledge that I have received a copy of this statement of the duties of the position of guardian.

Date: Write the **date** herePrint your **name** here

(TYPE OR PRINT NAME)

Sign here

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Mailing Address): <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your name here</div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your address here</div>	TELEPHONE NO.:	<b>FOR COURT USE ONLY</b>
ATTORNEY FOR (Name): <i>In Pro Per</i> <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
<b>CASE NAME: In the Matter of the Guardianship</b> of <div style="border: 1px solid black; padding: 2px 10px;">Write child's full name here</div> , a child		
<b>DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)</b>		
		CASE NUMBER: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your case number here</div>

1. **I am a party** to this proceeding to determine custody of a child.
2. ☐ Declarant's present address is not disclosed under Section 3429. The address of children presently residing with declarant is identified as 

Write number of children you want guardianship for here
3. (Number): \_\_\_\_\_ minor children are subject to this proceeding as follows:  
*(Insert the information requested below. The residence information must be given for the last FIVE years.)*

a. Child's name	Place of birth	Date of birth	Sex
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and present address)	Relationship
to			
to			
to			
b. Child's name	Date of birth	Sex	
<input type="checkbox"/> Residence information is the same as given above for child a. (If NOT the same, provide the information below.)			
Period of residence to present	Address <input type="checkbox"/> Confidential	Person child lived with (name and present address)	Relationship
to			
to			
to			
to			

- c. ☐ Additional children are listed on Attachment 3c. (Provide requested information for additional children on an attachment.)

SHORT TITLE: <div style="border: 2px solid black; padding: 5px; text-align: center; margin-top: 5px;">Write your <b>case name</b> here</div>	CASE NUMBER: <div style="border: 2px solid black; padding: 5px; text-align: center; margin-top: 5px;">Write your <b>case number</b> here</div>
---	---

4. Have you participated as a party or a witness or in some other capacity in another litigation or custody proceeding in California or elsewhere? Fill out questions #4, 5, 6. For each one, if you check **No**, go to the next question.
- ☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Capacity of declarant: ☐ party ☐ witness ☐ other (specify):

c. Court (specify name, state, location):

d. Court order or judgment (date):

If you have been in another legal proceeding with the child, check **Yes** and fill out 4a-d. If not, check **No** and move to #5.

5. Do you have information about a custody proceeding pending in a California court or any other court concerning a child subject to this proceeding, other than that stated in item 4?
- ☐ No ☐ Yes (If yes, provide the following information:)

a. Name of each child:

b. Nature of proceeding: ☐ dissolution or divorce ☐ guardianship ☐ adoption ☐ other (specify):

c. Court (specify name, state, location):

d. Status of proceeding:

Check **No** unless the child is in other custody cases.

If there is someone else who wants or has custody or visitation rights, check **Yes** and fill out #6.

6. Do you know of any person who is not a party to this proceeding who has physical custody or claims to have custody of or visitation rights with any child subject to this proceeding?
- ☐ No ☐ Yes (If yes, provide the following information:)

a. Name and address of person

- ☐ Has physical custody  
☐ Claims custody rights  
☐ Claims visitation rights

Name of each child

b. Name and address of person

- ☐ Has physical custody  
☐ Claims custody rights  
☐ Claims visitation rights

Name of each child

c. Name and address of person

- ☐ Has physical custody  
☐ Claims custody rights  
☐ Claims visitation rights

Name of each child

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

Write the **date** here

Print your **name** here

(TYPE OR PRINT NAME)

Sign here

(SIGNATURE OF DECLARANT)

7. ☐ Number of pages attached after this page:

**NOTICE TO DECLARANT:** You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, state bar number, and address</i> ): <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your <b>name</b> here</div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your <b>address</b> here</div>	TELEPHONE AND FAX NOS.:	<div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your <b>phone number</b> here</div>
ATTORNEY FOR ( <i>Name</i> ): <b><i>In Pro Per</i></b>		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> MAILING ADDRESS: 400 McAllister Street STREET ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF ( <i>Name</i> ): <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write <b>child's full name</b> here</div> <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input type="checkbox"/> MINOR    <input type="checkbox"/> CONSERVATEE       </div>		
<b>NOTICE OF HEARING</b>		CASE NUMBER: <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">Write your <b>case number</b> here</div>

**This notice is required by law. This notice does not require you to appear in court, but you may attend the hearing if you wish.**

1. NOTICE is given that (*name*): 

Write your **name** here

  
 (*representative capacity, if any*):  
 has filed (*specify*): **Petition for Appointment of Guardianship of Minor**
  
2. You may refer to the filed documents for further particulars. (*All of the case documents filed with the court are available for examination in the case file kept by the court clerk.*)
  
3. The petition includes an application for the independent exercise of powers under of the Probate Code section 2590. Powers requested are ☐ specified below ☐ specified in Attachment 3
  
4. A HEARING on the matter will be held as follows:
 

a. Date	Time:	<input type="checkbox"/> Dept.: <b>Probate</b>	<input type="checkbox"/> Room: <b>Room 204</b>
---------	-------	--	--

  
 b. Address of court ☐ same as noted above ☐ is (*specify*):

(Continued on reverse)

**You must give *personal* notice (not mailed notice) to parents unless the court gives you permission not to.**

1. I certify that I am not a party to this \_\_\_\_\_.

2. A copy of the foregoing *Notice of Hearing - Guardianship or Conservatorship*

a. was posted at (*address*): \_\_\_\_\_

b. was posted on (*date*): \_\_\_\_\_

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.

3. I served the forms by first class mail with return receipt requested. The adult who mails the forms must fill out **3, 4 and 5**.

a. ☒ deposited in the first class mail with postage paid.

b. ☒ placed in the first class mail with postage paid.

**Remember:** Someone - **not you** - must mail notices and sign and date.

4. a. Date mailed: \_\_\_\_\_ b. Place mailed (*city, state*): \_\_\_\_\_

5. ☐ I served with the *Notice of Hearing Guardianship or Conservatorship* a copy of the petition or other document referred to in the notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_

(TYPE OR PRINT NAME)

\_\_\_\_\_

(SIGNATURE OF DECLARANT)

## NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

Write the name and address of every close family member of the child (grandparents, sisters, brothers) and agency that you mailed notice to.

**Remember:** You must also mail notice to DHS. And if you are not related to the child, also mail notice to DSS.

You must give *personal* notice - not *mailed* notice - to the parents unless the Court gives you permission.

Check here if you use another page to write more names and addresses.

List of names and addresses continued on attachment.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;">Write your name here</div> <div style="border: 1px solid black; padding: 5px;">Write your address here</div>	TELEPHONE AND FAX NOS. <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Write your phone number here</div>	FOR COURT USE ONLY
ATTORNEY FOR (Name): <b><i>In Pro Per</i></b>		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
GUARDIANSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): <div style="border: 1px solid black; padding: 5px; display: inline-block;">Write child's full name here</div> <div style="border: 1px solid black; padding: 5px; display: inline-block; margin-left: 20px;">Check one</div> <div style="text-align: right; margin-top: -10px;">MINOR</div>		
ORDER APPOINTING GUARDIAN OF <input type="checkbox"/> MINOR <input type="checkbox"/> MINORS		CASE NUMBER: <div style="border: 1px solid black; padding: 5px; display: inline-block;">Write your case number here</div>
<b>WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.</b>		

1. The petition for appointment of guardian came on for hearing as follows (check boxes c, d, and e to indicate personal presence):

- a. Judge (name): 

Write your hearing date here

 Time: ☐ Dept.: **Probate** ☐ Room: **204**
- b. Hearing date: 

Write your name here
- c. ☐ Petitioner (name): 

Write your name here
- d. ☐ Attorney for Petitioner (name): ***In Pro Per***
- e. ☐ Attorney for minor (name, address, and telephone):

Check one

If all relatives got your Notice of Hearing and Petition, check 2a.  
 If you wrote an "Attachment 15" for your Petition for Appointment of Guardian, check 2b.  
 Or, if some relatives could not be notified, check here and write their names here.

2. ☐ All notices required by law have been given.
- b. ☐ Notice of hearing to the following persons ☐ has been ☐ should be dispensed with (names):
3. ☐ Appointment of a guardian of the ☐ person ☐ estate of the minor is necessary and convenient.
4. ☐ Granting the guardian powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and is in the best interest of the guardianship estate.
5. ☐ Attorney (name): \_\_\_\_\_ has been appointed by the court as legal counsel to represent the minor in these proceedings. The cost for representation is: \$ \_\_\_\_\_
6. ☐ The appointed court investigator, probation officer, or domestic relations investigator is (name, title, address, and telephone): \_\_\_\_\_

#### THE COURT ORDERS

7. a. (Name): 

Write your name here

  
 (Address): 

Write your address here

 (Telephone): 

Write your phone number here

is appointed guardian of the PERSON of (name): 

Write child's full name here

  
 and Letters shall issue upon qualification.

GUARDIANSHIP OF (Name): <div style="border: 2px solid black; padding: 5px; text-align: center; margin-top: 5px;"> <b>Write child's full name here</b> </div>	CASE NUMBER: <div style="border: 2px solid black; padding: 5px; text-align: center; margin-top: 5px;"> <b>Write your case number here</b> </div>
---	---

MINOR

7. b. (Name):

(Address):

(Telephone):

is appointed  
and Letter

Check here if you checked  
"should be" on 2b

8. ☐ Notice of hearing to the persons named in item 2b is dispensed with.

9. a. ☐ Bond is not required.

b. ☐ Bond is fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law.

c. ☐ Deposits of: \$ \_\_\_\_\_ are ordered to be placed in a blocked account at (specify institution and location):

and receipts shall be filed. No withdrawals shall be made without a court order. ☐ Additional orders in Attachment 9c.

d. ☐ The guardian is not authorized to take possession of money or any other property without a specific court order.

10. ☐ For legal services rendered on behalf of the minor, ☐ parents of the minor ☐ minor's estate shall pay to (name): \_\_\_\_\_ the sum of: \$ \_\_\_\_\_

☐ forthwith ☐ as follows (specify terms, including any combination of payors):

11. ☐ The guardian of the estate is granted authorization under Probate Code section 2590 to exercise independently the powers specified in Attachment 11 ☐ subject to the conditions provided.

12. ☐ Orders are granted relating to the powers and duties of the guardian of the person under Probate Code sections 2351-2358 as specified in Attachment 12.

13. ☐ Orders are granted relating to the conditions imposed under Probate Code section 2402 upon the guardian of the estate as specified in Attachment 13.

14. ☐ Other orders as specified in Attachment 14 are granted.

15. ☐ The probate referee appointed is (name and address):

Write how many boxes you  
checked in items 8-15 here.

16. Number of boxes checked in items 8-15: \_\_\_\_\_

17. Number of pages attached: \_\_\_\_\_

Write how many pages you  
attached here.

Date: 

Write the date here.

☐ JUDGE OF THE SUPERIOR COURT  
☐ SIGNATURE FOLLOWS LAST ATTACHMENT



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your <b>name</b> here</div> <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your <b>address</b> here</div>	TELEPHONE AND FAX NOS.: <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your <b>phone number</b> here</div>	<b>FOR COURT USE ONLY</b>
ATTORNEY FOR (Name): <b>In Pro Per</b> <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO</b> STREET ADDRESS: 400 McAllister Street MAILING ADDRESS: Probate Department, Room 103 CITY AND ZIP CODE: San Francisco, CA 94102 BRANCH NAME:		
GUARDIANSHIP OF (Name): <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write <b>child's full name</b> here</div> <div style="text-align: right;">MINOR</div>		
<b>LETTERS OF GUARDIANSHIP</b> <input type="checkbox"/> Person <input type="checkbox"/> Estate		CASE NUMBER: <div style="border: 1px solid black; padding: 5px; margin: 5px;">Write your <b>case number</b> here</div>

**LETTERS**

1. (Name): 

Write your **name** here

  
 is appointed guardian of the ☐ person ☐ estate  
 of (name): 

Write **child's full name** here
2. ☐ Other powers have been granted and conditions have been imposed as follows:
  - a. ☐ Powers to be exercised independently under Probate Code section 2590 as specified in Attachment 2a (specify *powers, restrictions, conditions, and limitations*).
  - b. ☐ Conditions relating to the care and custody of the property under Probate Code section 2402 as specified in Attachment 2b.
  - c. ☐ Conditions relating to the care, treatment, education, and welfare of the minor under Probate Code section 2358 as specified in Attachment 2c.
  - d. ☐ Other (specify in Attachment 2d).
3. ☐ The guardian is not authorized to take possession of money or any other property without a specific court order.
4. Number of pages attached: \_\_\_\_\_  

(Usually zero)

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)	Date: <div style="border: 1px solid black; padding: 2px 10px;">Write the <b>date</b> here.</div>
	Clerk, by _____ <div style="text-align: center;">(DEPUTY)</div>

**AFFIRMATION**

I solemnly affirm that I will perform the duties of guardian according to law.

Executed on (date): 

Write the **date** here.

at (place): 

Write where you are here.

▶ 

Sign here (*after the hearing*)

(SIGNATURE OF APPOINTEE)

**CERTIFICATION**

I certify that this document and any attachments is a correct copy of the original on file in my office, and that the *Letters* issued to the person appointed above have not been revoked, annulled, or set aside and are still in full force and effect.

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)	Date: _____ Clerk, by _____ <div style="text-align: center;">(DEPUTY)</div>
--------	---



Guardianship of: <span style="border: 2px solid black; padding: 5px; display: inline-block; width: 250px;">Write <b>child's full name</b> here.</span>	CASE NUMBER: <span style="border: 2px solid black; padding: 5px; display: inline-block; width: 200px;">Write your <b>case number</b> here.</span>
--	--

minor

- c. ☐ **by mail and acknowledgement of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on *(date)*: (2) from *(city)*:
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt (Code Civ. Proc., § 415.30).*)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Procedure, § 415.40)
- d. ☐ **by other legal means** (*specify code section*):
- ☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (*specify*):
- c. ☐ as occupant.
- d. ☐ On behalf of (*specify*):
- under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)  
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)  
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (individual)  
☐ CCP 415.95 (business organization, form unknown) ☐ CCP 415.46 (occupant)  
☐ other:

7. **Person who served papers**

- a. Name: Write the **name, address, and telephone number** of the person who served the papers here.
- b. Address: Write the **name, address, and telephone number** of the person who served the papers here.
- c. Telephone number: Write the **name, address, and telephone number** of the person who served the papers here.

d. **The fee** for service was: \$ Write the amount of any money you paid to have the papers served here.

- e. I am:
- (1) ☐ Not a registered California process server.
- (2) ☐ Exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ Registered California process server.
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration no.:

Check this box if you are **not** a California sheriff or marshal.

8. ☐ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ **I am a California sheriff or marshal and** I certify that the foregoing is true and correct.

Date:

Write the **name** of person who served the papers here.

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

Have the person who served the papers **sign** here.

(SIGNATURE )